

STATE OF NEW JERSEY  
DEPARTMENT OF LAW & PUBLIC SAFETY  
DIVISION OF CONSUMER AFFAIRS  
BOARD OF NURSING

IN THE MATTER OF THE  
LICENSE OF

**JOSUEE REMOLIEN, L.P.N.**  
**License # 26NP05778200**

TO PRACTICE NURSING IN THE  
STATE OF NEW JERSEY

Administrative Action

**FINAL ORDER  
OF DISCIPLINE**

This matter was opened to the New Jersey State Board of Nursing ("the Board") upon receipt of information which the Board has reviewed and upon which the following findings of fact and conclusions of law are made:

**FINDINGS OF FACT**

1. Josuee Remolien ("Respondent") is a Licensed Practical Nurse (LPN) in the State of New Jersey, and has been a licensee at all times relevant hereto.
2. On or about September 6, 2014, a letter of inquiry was sent to Respondent at her address of record on behalf of the Board of Nursing. The letter was sent by certified and regular mail, asking about an arrest on February 20, 2014 on charges of assault, and also asking Respondent to provide documentation of all continuing education completed in the last three years.
3. The receipt of the certified mailing of the inquiry was signed upon delivery. The regular mailing was not returned. Respondent provided a one page certified letter

of disposition, indicating that the charges were dismissed, but did not provide a copy of the complaint, or a narrative statement indicating her version of the underlying conduct that led to her arrest, nor did she provide documentation, in the form of certificates of completion, of continuing education completed within the last three years.

4. Respondent indicated on her 2014 renewal application that she would have completed all required continuing education for the June 1, 2012 – May 31, 2014 licensing cycle by May 31, 2014.

### **CONCLUSIONS OF LAW**

Respondent's failure to fully respond to the Board's inquiry constitutes a failure to cooperate with the Board's investigation in violation of N.J.A.C. 13:45C-1.2, -1.3, subjecting Respondent to sanctions pursuant to N.J.S.A. 45:1-21(e).

Respondent's failure to demonstrate timely completion of nursing continuing education requirements for the June 1, 2012 – May 31, 2014 licensing cycle constitutes a violation of N.J.A.C. 13:37-5.3, subjecting Respondent to sanctions pursuant to N.J.S.A. 45:1-21(e) and (h).

Respondent's indication on her 2014 renewal application that she had completed all required continuing education for the June 1, 2012 – May 31, 2014 licensing cycle by May 31, 2014, constitutes misrepresentation in violation of N.J.S.A. 45:1-21(b).

Based on the foregoing findings and conclusions, a Provisional Order of Discipline seeking a suspension, reprimand, and seven hundred and fifty dollar (\$750) civil penalty was entered on December 30, 2014. Copies were served upon Respondent via regular and certified mail. The Provisional Order was subject to finalization by the Board at 5:00 p.m. on the thirtieth day following entry unless

Respondent requested a modification or dismissal of the stated findings of fact and conclusions of law by setting forth in writing any and all reasons why said findings and conclusions should be modified or dismissed and submitting any and all documents or other written evidence supporting Respondent's request for consideration and reasons therefor.

Respondent belatedly replied, in a piecemeal fashion, to the Provisional Order of Discipline by providing all the information requested in the Board's original letter of inquiry. Respondent maintained that the arrest was the result of a domestic violence issue and provided documentation that the charges had been dismissed. Additionally, Respondent provided documentation of timely completion of all required continuing education within the June 1, 2012 – May 31, 2014 biennial period.

The Board reviewed Respondent's submissions and determined that further proceedings were not necessary, but that Respondent's reply justified modification of the Provisional Order. Inasmuch as Respondent provided the information originally requested and demonstrated timely completion of continuing education, the Board determined that suspension was no longer warranted. Similarly, the Board determined that the two hundred and fifty dollar (\$250) civil penalty and the reprimand, which related to continuing education violations, were not warranted. However, the Board determined that Respondent's failure to respond to the original inquiry, thereby necessitating the filing of the Provisional Order of Discipline, and review of Respondent's subsequent piecemeal reply months later, warrants imposition of a five hundred dollar (\$500) civil penalty for violation of the duty to cooperate regulation, which violation caused the Board to expend resources and file a Provisional Order of

Discipline.

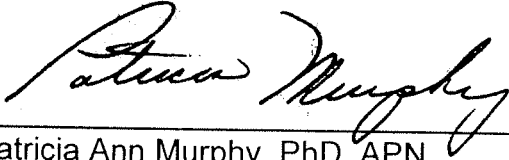
ACCORDINGLY, IT IS on this 7th day of May, 2015,

ORDERED that:

1. A five hundred dollar (\$500) civil penalty is hereby imposed for the violation of N.J.A.C. 13:45C-1.2 and 1.3. Payment shall be made by certified check, bank cashier check, or money order payable to "State of New Jersey," or by wire transfer, direct deposit, or credit card payment delivered or mailed to George Hebert, Executive Director, State Board of Nursing, P.O. Box 45010, Newark, New Jersey 07101. Any other form of payment will be rejected and will be returned to the party making the payment. Payment shall be made no later than twenty-one (21) days after the date of filing of this Final Order of Discipline. In the event Respondent fails to make a timely payment, a certificate of debt shall be filed in accordance with N.J.S.A. 45:1-24 and the Board may bring such other proceedings as authorized by law.

NEW JERSEY STATE BOARD OF NURSING

By:

  
Patricia Ann Murphy, PhD, APN  
Board President